

SHORT FATAWAS

MASA'IL PERTAINING
TO ASL AD-DIN

SHAYKH ABU BARA'A AS-SAYF



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

May Allah تعالى bless and preserve you.

I've only recently learned of this term Asl Iman al Wájib. Does the term Asl Iman al Wájib, include Asl ad Din, but a bit broader in meaning?

Response:

وعليكم السلام ورحمة الله وبركاته

The term (Asl al-Din) is a term which many of those who spoke regarding it, differed in its exact meaning, its limits and what is included in it and what is not.

However, the most precise definition of Asl ad-din, of which there is evidence from the Qur'an and the Sunnah is that the definition of Asl ad-din is the same level of Asl al-Iman al-Wajib..

(Asl) is what other (matters) are built upon.

And (Din) is the religion of Islam according to the Shari'ah/laws of the Prophet ﷺ which abrogates every Shar'iah before it.

Therefore, (Asl al-Din) is what the religion of Islam is built upon and by which it is made correct, whereby the one who does not come with (i.e. perform) a part from it becomes a disbeliever and his Islam is not correct (i.e. not accepted).

So with that, it is equivalent to the level of Asl al-Iman al-Wajib, which includes

every branch of faith performed upon the heart, tongue, and limbs, of words and deeds, which if abandoned or one did not come with, nullifies his Islam and he becomes a disbeliever.

This level also includes avoiding and abandoning all the nullifiers of Islam, both apparent and hidden.

This is how the limit/boundaries of Asl ad-din are specified and known which are based on evidences from Shari'ah.

As for other definitions of Asl ad-din, especially among the later ones (who defined it), they are not free from deficiency and criticism.

والله أعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is there any difference in saying takfeer is a Hukm Shar'i from Asl ad Din which is a matter that is delayed, and between saying takfeer is not a part of Asl ad Din, it's only a Hukm Shar'i?

Response:

وعليكم السلام ورحمة الله وبركاته

Since we have come to know that the term Asl ad-din is the same as Asl al-Iman al-Wajib from the levels of Iman- from the three general meanings it has..

Then takfeer means to give/attach the name of kufr to a particular individual who committed an action of kufr, and it is a wajib shar'i ruling.

It is a (Shari' ruling) i.e. the rulings of takfeer, its regulations, limits, motives, causes, conditions, and preventatives are all found (and learnt) from the Shari'ah, and the aql/intellect has no share in legislating any of that..

It is (wajib/obligatory) because it is obligatory to rule the one who commits kufr - who has nothing of the sort which would prevent takfeer of him individually - that he is a kafir, just as Allah has ruled his likes (to be kuffar), thus following the rule of Allah..

Imam al- Barbahari said in Sharh as-sunnah, (64/1): "We do not expel anyone from the people of Qiblah (i.e. Muslims) from Islam unless he rejects a verse from the Book of Allah, or a narration/hadith of the Prophet ﷺ, or he slaughters for other than Allah, or prays for other than Allah, and if he does any of that, then it is wajib upon you to expel him from Islam."

But..

1- Is takfeer a wajib from Asl al-Iman al-Wajib, that if someone does not make takfeer of the one who has committed kufr - while there are no valid shar'i preventatives present - and instead he rules him with Islam, is also a kafir because of falling into a nullifier of Islam and kufr?

2- Or is takfeer a wajib from kamal al-Iman al-Wajib, wherein if the one who doesn't make takfeer of someone who committed an action of kufr - without the presence of valid shar'i preventatives - and instead rules him with Islam, has fallen into sin and fisq?

The response is the first:

The one who does not make takfeer of a kafir who has fallen into a nullifier, while there is nothing which prevents his takfeer (from the mawāni (preventatives) considered by Shar'iah), then he has fallen into kufr and a nullifier of Islam by consensus, as Qādhi al-'Ayadh (may Alah have mercy on him) mentioned in his book (As-Shafā), in the second volume, and as others from the people of knowledge have mentioned.

Why has he committed kufr?

Answer: Because he has denied the ruling of Allah and has rejected it in the right of the kafir who committed a nullifier..

And Allah Azza Wa Jal says regarding those who deny His verses or reject them; *{And thus We have sent down to you the Book [i.e., the Qur'ān]. And those to whom We [previously] gave the Scripture believe in it. And among these [people of Makkah] are those who believe in it. And none reject Our verses except the disbelievers.}* [Ankabut:47]

And Allah said, *{And none rejects Our signs except everyone treacherous and ungrateful.}* [Luqman:32]

This is why we say:

Takfeer is a wajib shar'i ruling from Asl al-Iman al-Wajib, but it is not a

condition for someone to openly declare this when embracing Islam at the beginning. However, if after that one does not do so (i.e. make takfeer) of the one who deserves it rightfully, without the presence of a valid shar'i preventative, but rather ruled him with Islam, then he has fallen into kufr and a nullifier."

والله أعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

May ALLAH تبارك و تعالی bless and preserve you Shaykh.

Regarding this statement “Bará’a from the tawagheet with the heart is from Asl al Iman al Wájib. “

Can you give examples of how this bará’a in the heart is actualized? Is it only believing what they call to, to be falsehood and misguidance and to reject it?

Response:

وعليكم السلام ورحمة الله وبركاته

This is my previous response to a similar question posed:

Barā/disavowal linguistically means: To eliminate/get rid off something, (i.e. to free oneself), and to sever ties with it.

Consequently, with regards to barā/disavowal of the taghut, their worshippers and their religion, the meaning here, in accordance to the evidence of Shar’iah is:

To eliminate and reject the taghūt, their worshippers and their religion, and to sever ties with them, (i.e. religious ties.)

It is thus divided into:

1/ Part upon the heart; this includes the Muslim’s belief that he has no connection/ties with the religion of the taghūt and their worshippers, and their religion has no connection/ties with the religion of Islam and that they have

their own religion and he has his (own) religion.

And this part of bara/disavowal upon the heart is a branch of and falls under:

(اعتقاد ان الطاغوت وعابديه على الباطل والضلال وعلى غير دين الحق)

(Belief that the Taghut and his worshipers are upon batil/falsehood and misguidance and upon other than the religion of truth).

And therefore ..

It is from Asl al-Iman al-Wajib (i.e., asl ad-din as I previously defined), and it is that which is indicated by and included in the testimony of لا إله إلا الله, and because it is one of the branches of Iman upon the heart, if one has this aspect present (in the heart), it will benefit him in the Hereafter before Allah, the One Who is in charge of the hidden matters and whatever is in the hearts, i.e., this is entering Islam in truth which is accepted by Allah in the Hereafter..

However, with regards to the rulings of this world, i.e., when ruling the mukallaf with Islam al hukmi (i.e. ruling him with Islam due to his display of it) and treating him as Muslim, then we are not charged with knowing what is in the hearts of the people with regards to bara/disavowal and other such matters, but rather we were commanded to judge by what is outwardly evident, and Allah is in charge of the secrets.

Therefore, the part of bara upon the heart does not fall under 'making takfeer upon them', (i.e. to attach/give the name of kufr to their individuals), because it is a shar'i ruling which is known by additional knowledge than what is in the meaning of لا إله إلا الله, from the knowledge of Shar'iah, but it comes later and falls under the (part of) belief that they are upon falsehood, misguidance and no the true religion.

This is the precise detail of this mas'alah, and those who are aware of it will be saved from the traps and the heresy of the extremists in takfeer.

2/ Part upon the tongue (outwardly); which is to openly display bara from the taghūt, their worshippers and their religion with (statement) upon the tongue,

as Ibrahim Al-Khalil and the prophets did, (عليهم الصلاة والسلام).

This part is from kamal al-Iman al-Wajib. Whoever does not perform it without a valid Shar'i excuse despite his ability to do so, is a fasiq/disobedient/sinful.

And whoever is incapable of performing it because of weakness, inability and fear, and he conceals his faith and conceals his bara from the taghut, their worshipers and their religion, then this one is excused and nothing (of sin) is upon him.. as his situation is like that of the Prophet عليه الصلاة والسلام and the Companions at the time of the early message, and like the believer of the family of Pharaoh.

والله أعلى وأعلم

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Shaykh previously mentioned that takfeer is from Asl al-Iman al-Wajib.

What is his view in that some of the sahabah differed in the takfeer of specific individuals?

Also, if takfeer is from Asl (asl al-Iman al wajib), then doesn't this necessitate that whoever errs and withholds takfeer of a particular person is also a disbeliever?

And if a matter is from Asl, doesn't this mean that it is achieved by the aql/intellect.

How can takfeer be from Asl and at the same time not be realized by the mind?

Response:

وعليكم السلام ورحمة الله وبركاته

No it does not necessitate that. When we said takfeer is from Asl al- Iman al- Wajib, we said takfeer with its rules, conditions and limits is from Asl al-Iman al-Wajib. What are the conditions and limitations? It is the takfeer of a kafir upon whose kufr there is a consensus, or an individual who has committed explicit kufr and there are no valid shar'i preventative which prevents the ruling of takfeer upon him. This is the takfeer that is from Asl al iman al wajib, thus, in order for one to remain upon Islam, it is necessary to rule with the rulings of Allah. So the one who withholds takfeer of a kafir upon whom there is an agreement/consensus, or of someone who has committed clear explicit

kufr without the presence of valid shar'i preventatives, negates Asl al Iman al wajib. An analogy can be drawn with regards to withholding takfeer on something agreed upon, to that of making halal (permitting) what is agreed upon to be haram (prohibited) and vice versa, and this is kufr and apostasy by the consensus of the scholars, as it is takdhib/denial and rejection of the Quran.

However, there are prohibited matters which are not from the prohibitions, upon which there is a consensus, wherein there is disagreement among the people of knowledge (on whether it is prohibited or not), and the one who says that it isn't prohibited does not negate Asl al iman al Wajib.

We said, the takfeer which is from Asl al-Iman al-Wajib (which allows one to remain within the folds of Islam), is in the case when one rules a kafir with Islam, upon whose kufr there is a consensus and there are no preventatives which prevent the ruling of kufr upon him. Thus, withholding takfeer of such a person is a form of denial and rejection of the texts (of Quran and Sunnah), which nullifies ones Asl al-Iman al-Wajib.

As for the kafir whose kufr is differed upon, such as al-Hajjaj, or others, or those individuals regarding whom the Sahabah differed upon, is like differing over the prohibition of certain matters regarding which there is a disagreement on its prohibition. The one who differs in such matters has not rejected the texts and he has not negated Asl al-Iman al-Wajib. Those who differ in halal and haram matters regarding which there is a disagreement (among scholars) or like making takfeer of al-Hajjaj, it is not said that they have rejected the texts, but rather it is their ijtihaad in passing a ruling, some having made a mistake and others being correct in their judgement.

However the one who permits what is agreed upon to be prohibited, such as zina, alcohol or a clear text of prohibition from Allah; or he prohibits what is agreed upon to be permissible, like nikah, drinking water or eating bread etc.; or he considers someone a Muslim who is agreed upon to be a kafir, such as Firawn, Haman, Musaylamah al-Kadhab, Tulayha al-Assadi, the Nusayriyyah, the Druze, the Rafidah etc.; then there is no room for ijtihaad in such matters as their kufr is agreed upon, and the one who withholds takfeer of them has

fallen into kufr, as their withholding is not the same as someone who withholds takfeer of someone like al-Hajjaj. There is no doubt regarding the takfeer of the one who permits what is agreed upon to be prohibited [and vice versa], or considers someone who is agreed upon a kafir, to be a Muslim, whether it is someone whose kufr is proven by texts or someone who has committed clear explicit kufr who has no valid shar'i reasons to prevent his takfeer, and so he doesn't pass these rulings as Allah did, and he permits what Allah has forbidden and vice versa, and he doesn't make takfeer of someone Allah called a kafir, then he has rejected the texts and belied them by considering someone a Muslim while Allah has ruled them a kafir. We said that the takfeer of this one, (while taking into account) the conditions and limits of takfeer, is from Asl al-Iman al-Wajib, i.e., takfeer of the one whose kufr is explicit or there is a consensus upon their kufr.

The one who doesn't make takfeer on such a type has nullified his Islam, thus his takfeer is from Asl al-Iman al-Wajib.

As for the one regarding whom there is difference of opinion of his kufr, is not like the one who denied clear texts.

Therefore, takfeer (with the presence of conditions and limits) of a kafir upon whom there is consensus, or takfeer of an individual who has committed clear explicit kufr, (even if he claims to be a Muslim) is from Asl al-Iman al-Wajib. The one who doesn't make takfeer of such a person has nullified his asl al-Iman al-Wajib.

Question:

Also, if a matter is from asl, doesn't this mean that it is achieved by the aql/intellect?

How can takfeer be from Asl and at the same time not be realized by the mind?

Response:

2/ Takfeer is from the ahkam/rulings of Shar'iah, and is not achieved/understood by aql (intellect). Who said an Asl is realized by the intellect?! The intellect, if one contemplates upon Shar'i proofs or even the universal signs, will recognize and understand what Allah has guided it towards in the shar'iah's of the prophets. As for the aql/intellect alone to achieve and recognize names like "kufr", or "takfeer", or the "nullifiers of Islam", the "conditions or preventatives of takfeer", (before the coming of the Shar'iah) then this is a false statement. The intellect doesn't recognize these prior to the coming of the Shar'iah. If one says that the intellect is able to achieve and legislate this, then he has made his intellect a taghut legislator with Allah. Hence, takfeer is like permitting and forbidding, and just like halal and haram is only known by Shar'iah, likewise, who is a kafir and who is a Muslim is also known by evidence of Shar'iah.

Allah said: *{ "Do not falsely declare with your tongues, "This is lawful, and that is unlawful," `only` fabricating lies against Allah. Indeed, those who fabricate lies against Allah will never succeed." }* [Nahl: 116]

Then the one who says this is halal and that is haram by virtue of himself, without resorting to the Shar'i texts (is like legislating along with Allah), has fabricated lies upon Allah, and whoever fabricates lies upon Allah has committed kufr. Therefore the one who permits what is agreed upon to be prohibited or vice versa then he is a kafir by agreement, by evidence and by ijma'.

It is Allah who informs us regarding the one who is a Muslim and who is a kafir, or when a Muslim becomes a kafir and what the nullifiers of Islam are, or the preventatives that prevent someone from becoming a kafir even if he committed a nullifier, etc. These matters are not known by the intellect. Allah said: *{ "And Allah brought you out of the wombs of your mothers while you knew nothing." }* [an-Nahl: 78]

And Allah said: *{ And thus We have revealed to you an inspiration of Our command [i.e., the Qur'ān]. You did not know what is the Book or [what is] faith, but We have made it a light by which We guide whom We will of Our*

servants.} So it is through the Shari'ah of the messengers that the masā'il of takfeer are known, such as what is the correct or incorrect takfir, the conditions and preventatives of takfeer etc., and these are matters which cannot be known by the intellect alone without the guidance of Shar'iah and there is no evidence to say that the intellect knows these matters. If it did know these matters, then there would be evidence for this.

The intellect, after the coming of a messenger, knows of only taslim (submission) and inqiyad (compliance) and it doesn't know with regards to legislating rulings such as the conditions of takfeer or its preventatives, as these matters only come from submission to the Shar'iah, so the intellect, after the coming of a messenger, complies with the Shar'iah, and doesn't argue against it, nor resists or denies it. As for the one who makes the intellect legislate in matters of halal, haram, takfeer etc., solely by the intellect itself, then he has made his intellect a taghut which legislates besides Allah. And this is no different to those who legislate man-made laws, as they permit or prohibit according to their own whims and desires with no reference to Allah or the Shar'iah, but only in reference to their own intellects, and they are tawagheet. So he who makes his intellect a legislator besides Allah, in permitting and prohibiting or making takfir, then he has made his intellect a taghut which is worshipped besides Allah.

We ask Allah for safety from all this.

[Translated transcript]

Shaykh Abu Bara'a as-Sayf حفظه الله

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is hatred of the mushrikeen due to their kufr from Asl al-Iman al-Wajib?

How do we deal with those Muslims who say that we hate kufr itself but we don't hate the kuffar, or they say we don't like them nor hate them?

Response:

وعليكم السلام ورحمة ورحمة وبركاته
امين وإياكم

To hate the mushrikeen for their shirk is from Asl al-Iman al-Wajib. To phrase it another way, it is hatred of shirk and its people due to their kufr and shirk, and it is from Asl al-Iman al-Wajib, and is performed upon the heart, and its opposite is love. So whoever hates the kuffar for their shirk has presented Asl al-Iman al-Wajib upon the heart.

And contrary to this, whoever loves the kuffar for their shirk is a kafir because he loves a kafir for his shirk/kufr, because in reality this love is love of kufr itself, and because he didn't love him except for the reason that he chose a religion of kufr, thus he is a kafir because this contradicts kufr bit-taghūt.

Allah says; *{You will not find a people who believe in Allāh and the Last Day having affection for those who oppose Allāh and His Messenger, even if they were their fathers or their sons or their brothers or their kindred.}* [58:22]

So there is none who loves and has a place in his heart for the one who wages war against Allah and His messenger with kufr and shirk. So whoever loves such a person for his war against Allah, doesn't have faith in Allah nor in the

last Day, and he is a kafir because Allah said: *{You will not find a people who believe in Allāh and the Last Day having affection for those who oppose Allāh..}* And the opposite is also true.

Hence, to avoid love for the people of shirk, i.e. to hate the kuffar and mushrikeen because of their war/opposition to Allah and His Messenger is from Asl al-Iman al-Wajib.

How should we deal with those who say, "I hate kufr but I don't hate the kuffar?"

The one who says I hate kufr but don't hate the kuffar because of their kufr, then this person is in opposition to the millah of Ibrahim. It is said to him if you hate kufr then this necessitates that you hate the one who disbelieves in Allah. How can you love Allah, the One and Alone, yet at the same time love the ones who claims Allah is one of three, and to say Allah is one of three is an insult to Allah, as it has been mentioned in the hadith Al Qudsi. So, to insult Allah is to attribute to Him a son or partner/wife, as the Christians did, or as the Jews did when they said Uzayr is the son of Allah.

Allah said: *{And they say, "The Most Merciful has taken [for Himself] a son." You have certainly made an atrocious claim. By which the heavens almost rupture therefrom and the earth splits open and the mountains collapse in devastation. That they attribute to the Most Merciful a son. And it does not befit the Most Merciful that He should take a son.}* [19:88 - 92]

This is one of the greatest form of insult to Allah, to say Allah was hung and crucified and died, and is one of the worst form of insult to Allah عز وجل.

If someone cursed our father or brother, we would become angry. Then how, if he cursed the ma'bud, One and Alone, and to attribute to Him a partner or a son!!!

So the one who hates kufr, undoubtedly, this necessitates that he hates the one who disbelieves/kufr in Allah. Because this kufr is committed by specific individuals, and he must therefore hate the kuffar and mushrikeen, because of their kufr and shirk.

Allah said; *{Say, "Allāh has told the truth. So follow the way of Abraham.}*

And He said; *{And who is better in religion than one who submits himself to Allāh while being a doer of good and follows the religion of Abraham.}*

Allah commanded us to follow the way of Ibrahim and this is the best of Deen, and he said; *{And who would reject the faith of Abraham except a fool!}*

The one who turns away and doesn't want (to follow) the way of Ibrahim is indeed foolish. And He said, *{You already have an excellent example in Abraham and those with him, when they said to their people, "We totally dissociate ourselves from you and `shun` whatever `idols` you worship besides Allah. We reject you. The enmity and hatred that has arisen between us and you will last until you believe in Allah alone. }*

At-Tabari said in his tafseer regarding this Ayah, that those who were with him were prophets who were sent with the similar millah of Hanifiyya.

{The enmity and hatred that has arisen between us and you will last..} This shows that from the millah of Ibrahim is to hate kufr/disbelief itself and kuffar/disbelievers and shirk itself and the mushrikeen.

His statement *{..until you believe in Allah Alone}*, is evidence that the reason and cause of this hatred and enmity is their kufr. And had they believed in Allah Alone, and abandoned kufr and shirk, they would become our brothers in Deen, and we would love them because they are muslimen. But in the case that they remain upon kufr and shirk, then the enmity and hatred shall remain forever until they believe in Allah Alone عز وجل.

So the one who says, I hate kufr but I like the kuffar, if he likes them because of their kufr he is a kafir, but if he doesn't like them because of their kufr, but likes them because they deal with him in a nice manner so he doesn't disassociate from them and thus befriends them and doesn't display enmity or hatred towards them, and says these are my friends at work/college etc., then this one has fallen into a forbidden matter. As long as he hates kufr and only likes them because of worldly matters such that they are his friends, and he doesn't display any form of bara towards them for their kufr or shirk, he has

fallen into a forbidden/haram matter, but not kufr. But it is from the major sins, and he is in opposition to the millah of Ibrahim.

Allah further said, *{O you who have believed, do not take as intimates [bitāna] those other than yourselves [i.e., believers], for they will not spare you [any] ruin. They wish you would have hardship. Hatred has already appeared from their mouths, and what their breasts conceal is greater.}*

Here, Allah warned the muslimen against taking the kuffar as intimate friends and companions and close ones. *{..other than yourselves [i.e., believers]}* meaning other than the muslimen.

Bitāna/intimates is someone of a very close relationship to a man. When a man wears his clothes, the inside of his clothes which touch his body is called bitana and is the closest thing to the body. So Allah عز وجل compared the close companion who knows the secrets and is the closest of friends, as a bitana, and He prohibited the muslimen from taking these intimates from the kuffar, *{..for they will not spare you [any] ruin.}*, meaning corrupting your matters.

That they would cause corruption in your affairs because they envy you, as they are on falsehood and you are upon the truth, as Allah informed us; *{Many among the People of the Book wish they could turn you 'believers' back to disbelief because of their envy.}*

And He said, *{They wish you would disbelieve as they disbelieved so you would be alike.}*

So these people who say, "I hate kufr but I like to take them as friends without love for their kufr but I like some personalities because of friendship or they have good manners or good treatment," have fallen into a muharram/forbidden act and failed to achieve kamal al-Iman al-Wajib, which is the display of enmity hatred and bara on the tongue and limbs.

And the one who says, "I hate kufr but I'm not able to hate them nor do I like them," this one has also fallen into a muharram/forbidden matter because he didn't comply to the millah of Ibrahim which Allah commanded him to follow, which is the bara, enmity and hatred for them as long as they are on kufr,

while Allah has told us to follow Prophet Ibrahim in this.

In conclusion the one who doesn't hate the kuffar and the mushrikeen for their kufr, but likes them for it is a kafir.

As for the one who hates the kufr, but says I don't hate the kuffar, this one is of two categories;

If he doesn't hate the kuffar for their Deen, he is a kafir.

If he doesn't like them because of their Deen, but because of worldly reasons, and that they are his friends then he has fallen into a muharram.

The one who says I don't like them nor dislike them also committed a muharram/forbidden act.

With the exception of these (scenarios) is the one who has natural love for them. This is like a man who loves his maid servant, and he hates her for her kufr but he likes her from his natural desire, as a man desires women, or he loves his Jewish or Christian wife he married, but he hates the kufr or shirk she is upon, and this is natural love of a man for a woman

والله العلى وأعلم

[Translated transcript]

حفظه الله Shaykh Abu Bara'a as-Sayf

Fatwa:

Question:

السلام عليكم ورحمة الله وبركاته

Is takfeer of the mushrikin from the Asl ad-din? And if yes, does it fall under the matters that are known by aql and fitrah?

Answer:

و عليكم السلام ورحمة الله وبركاته

As we explained in response to the previous question, takfeer is the attachment of the name of kufr upon a particular individual who has committed an action of kufr, and it is a shar'i ruling which can only be understood and known by the rulings of Shar'iah. Some claim Asl ad-din is known by fitrah, or is known prior to the hujja risaliyya/the message of the prophets, but all these claims are wrong, deficient and incorrect. This is because some of them (i.e. ghulat) claim that Asl ad-din is only tawheed because the (message) of all the messengers agreed upon this. However, tawheed wasn't the only message which the messengers shared and agreed upon, but rather, it included that they believe in the Messengers, (i.e., Iman in the messengers), and this is mentioned in the statement of Allah: *{And [recall, O People of the Scripture], when Allāh took the covenant of the prophets, [saying], "Whatever I give you of the Scripture and wisdom and then there comes to you a messenger confirming what is with you, you [must] believe in him and support him." [Allāh] said, "Have you acknowledged and taken upon that My commitment?" They said, "We have acknowledged it." He said, "Then bear witness, and I am with you among the witnesses."}*

This Ayah is evidence that Allah also took the mithaq/covenant from the messengers that they must believe and have Iman/faith in all the messengers of Allah, the last of them Muhammad ﷺ. So Iman birusul/Iman in the messengers is also a belief which the messengers shared and not only

tawheed, (i.e. not only laa ilaha illallāh). So those who omitted the second part of the Shahadah from Asl ad-din, (i.e. the part; Muhammad is the Messenger of Allah), or accepts both parts but omits other matters from it, all of this is wrong, inaccurate and invalid..

The correct view regarding this matter is that Asl ad-din is equivalent to Asl al-Iman al-Wajib, and includes all that we previously mentioned from statements and actions performed upon the heart, tongue and the limbs, which if abandoned is kufr.

(Asl) is what other (matters) are built upon, and (Din) is the religion of Islam. So takfeer is a wajib hukm shari from the level of asl al-Iman al-Wajib, and whoever doesn't make takfeer of those who rightfully deserve it, without the presence of valid shar'i preventatives, has fallen into a kufr and apostasy.

But takfeer is a delayed matter than when one embraces Islam, meaning, it is not a condition stipulated for the one who wishes to enter Islam, or in order for us to rule him with Islam at the beginning. It is not a condition for one to make takfeer of the mushrikeen along with his profession of the Shahādah at the same time, i.e., to say, "I make takfeer of the mushrikeen" is not a condition for the validity and acceptance of one's Islam. However, after one embraces Islam by professing the shahadatayn (which is belief in Allah and disbelief in the taghut in accordance to the Shar'iah of the Messenger), or after embracing Islam by other means which indicates to the meaning of the shahadatayn, like his saying, "I surrender to Allah", or his saying, "I'm a muslim", etc., so in order for the ruling (of Islam) and the name (Muslim) to continue for him, he must avoid all the nullifiers of Islam, and one of the nullifiers of Islam is withholding takfeer of the mushrikeen, like those who have openly committed shirk, and upon whom there is ijma/consensus; "Whoever does not make takfeer on the Mushriks, is in doubt about their disbelief or deems their ways and beliefs to be correct, has disbelieved," because he has rejected the texts (of Qur'an and Sunnah),.

So in order for him to remain within Islam and for his Islam to be valid, he must avoid all forms of kufr and Shirk and avoid all the nullifiers, and from this is that he must make takfeer of the mushrikeen after their shirk is made clear to

him if there are no valid shar'i preventatives present. Thus, it is a wajib hukm shar'i from the level of Asl al-Iman al-Wajib, but it is a matter known after the initial Shahadatayn because it is known by additional knowledge of the Shahadatayn, meaning, by seeking additional shar'i knowledge from the Quran and Sunnah. So the conditions, limits, causes and preventatives of takfeer are all known by additional knowledge other than that indicated by the Shahadatayn alone. So an individual who enters into the folds of Islam by professing the Shahadatayn or by any other form of his entry to Islam, like saying 'I have surrendered to Allah' or 'I'm a muslim', or displays that upon which there is evidence that one is a Muslim like offering the Salah like the Muslims, or displays a sign in a particular land which is known to be from the specific signs of the Muslims which differentiates them from others, like the clothing, siwak, the beard, wearing white, wearing lower garment above the ankles etc., which are signs by which the Muslims may be distinguished from the disbelievers in a specific place, is a Muslim. But if these signs are shared by the kuffar too, then these signs/dress codes are not taken into consideration for one's Islam.

This is in reference to ruling him with Islam.

How does this ruling of Islam continue for the individual? It is by one avoiding all the nullifiers of Islam, both inward and apparent, as one of the nullifiers of Islam is, 'whoever doesn't make takfeer of the mushrikeen or doubts their kufr or corrects their religion'. Therefore, takfeer of the mushrikeen, to rule them with kufr after they have clearly displayed it without the presence of any valid preventatives which prevent the passing of takfeer, is a wajib shar'i ruling from among the rulings of Allah and it is from Asl al-Iman al-Wajib as Imam Barbahari stated, after he mentioned some nullifiers; *"Then it is wajib for you to expel him from Islam."* However, it is a delayed matter known by additional knowledge which is not known by the Shahadatān alone. So after learning, one must display takfeer of the one who has displayed kufr without preventatives.

Hence, nothing of takfeer is known by intellect and fitrah, and we have stated previously that there is nothing of takfeer which is known by aql or fitrah, or mithaq. Rather all this is hujja of the messengers. As for the aql, mithaq and fitrah, it is not a hujja except after the sending of the messengers, because in reality we did not know of the mithaq except after the sending of messengers and from the Shari'ah, and we did not know the fitrah, except after the shariah

of the messengers, which is all known by texts of Shar'iah, and there is no evidence which shows that these are hujjah prior to the sending of messengers. The asl hujjah is the hujjah of the messengers, and the aql, fitrah and the mithaq are a dependent hujjah which follow on from the hujjah of the messengers, after they were sent and informed the people that Allah has taken the mithaq of them and created them upon fitrah.

So the ruling of takfeer is a wajib shar'i ruling from Asl al-Iman al-Wajib and is a delayed matter from the initial process of entering Islam, and not to withhold the takfeer of a particular kafir, whose kufr is clear and agreed upon by consensus is a condition for one to remain within the folds of Islam. All of takfeer is known by shari'ah; its reasons, conditions, preventatives and causes such as jealousy, arrogance, denial, following the ways of forefathers, the causes of the action of kufr, the limits of takfeer and what is correct takfeer and that which is innovated from it is all known by the Shari'ah alone, and no part of it is known by the aql/intellect, fitrah or the mithaq, as is indicated by evidence.

والله أعلى وأعلم

[Translated Transcript]

Shaykh Abu Bara'a as-Sayf

والحمد لله رب العالمين